IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 1849 of 2001

Between:
The toddy Co-Operative Society, Upal village & Mandal,
Rep.by its President, B.Harinatha Goud son of B.Sathaiah
Uppal Village and Mandal, Ranga Reddy Dist.,

..... PETITIONER

AND

1 The Commissioner of Proh & Excise, Govt of AP
M.J.Road, Nampally, Hyderabad
2 The Dy.Commissioner of Proh., & Excise, Hyderabad Division
M.J.Road, Nampally, Hyderabad
3 The Proh., & Excise Superintendent , Ranga Reddy District,
AT Narayanguda, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd respondent in issuing proceedings No. Cr.No. B2/10232/2000, dt. 26/12/2000, suspending the licence of the TCS., Uppal shop bearing Nos. 1 and 2 at Uppal village and mandal, R.R.District., only on the basis of the alleged spot test and further inaction of the 1st and 2nd respondent by exercising the statutory appeal U/S 63 (1) and 63 (2) of the AP Excise Act, 1968 as illegal, unlawful, contrary to law and consequently, direct the 3rd respondent to continue the petitioner society to run its toddy business at uppal, pending receipt of the report from the lab and pending disposal of the appeal, pending before 1st respondent by duly extending the stay order passed by this Hon'ble court in WP.No. 356/2001 , dt. 22/01/2001 and pass such other orders or orders.

For the Petitioner: MR.M.DAMODAR REDDY,Advocate

For the Respondent s: GP FOR PROHIBITION & EXCISE

The Court Made the Following :

W.P.No.1849 of 2001

ORDER:

In view of the interim order granted by this Court, dated 06-02-2001 in W.P.M.P.No.2318 of 2001, the relief claimed in the Writ petition has become infructuous.

The writ petition is accordingly dismissed as having become infructous.

2nd JULY 2004

BSS/KMR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner of Proh & Excise, Govt of AP
M.J.Road, Nampally, Hyderabad
2 The Dy.Commissioner of Proh., & Excise, Hyderabad Division
M.J.Road, Nampally, Hyderabad
3 The Proh., & Excise Superintendent , Ranga Reddy District,
AT Narayanguda, Hyderabad
4.2CCs to G.P. for Prohibition & Excise, High Court Buildings
Hyderabad (OUT)
5.2CD copies

*Form-NIC-OGS/WP{**GR**}*